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EXPEDITED AFTER  
FINAL PRACTICE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: McKeon et al.  
Serial No.: 09/538,106  
Filed: March 29, 2000  
For: *Cell Regulatory Genes, Encoded Products, and  
Uses Related Thereto*

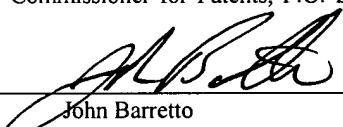
Examiner: C. Yaen  
Group Art Unit: 1642  
Attorney Docket No.: HMV-038.02

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November 11, 2003  
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By:   
John Barretto

**NOTICE OF APPEAL TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Appeals and Interferences from the decision dated August 12, 2003 finally rejecting Claims 2-10, 13-21 and 23-30.

The item(s) checked below are appropriate:

1. [XX] A check for \$165.00 to cover the Appeal fee [ ] is enclosed or [X] is to be charged to Deposit Account No. 06-1448.

11/17/2003 JADD01 00000015 061448 09538106

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If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. **06-1448, Reference HMV-38.02.**

Respectfully submitted,

By: Jennifer Holmes  
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Dated: November 11, 2003

**Customer No. 25181**